

REMARKS/ARGUMENTS

After the foregoing Amendment, Claims 1, 7, 8, 12-14, 16-18, 20, 21, and 29-49 are currently pending in this application. Claims 1 and 29 have been amended for clarification purposes.

Applicants submit that no new matter has been introduced into the application by these amendments.

Claim Rejections - 35 USC §103(a)

Claims 1, 7-8, 12-14, 16-17 and 20

Claims 1, 7-8, 12-14, 16-17, 20, 29-35 and 43-47 are rejected under 35 U.S.C. §103(a) as being unpatentable over Henmi et al (U.S. 7,154,492) (Henmi) in view of Cok et al. (U.S. 7,064,733) (Cok-733). Applicants respectfully disagree for the reasons presented herein.

Independent claims 1 and 29 have been amended to recite that the photodetector is mounted on the external lower side of the substrate. As stated in the Office Action, Henmi fails to disclose “arranging the photodetector on the lower surface of the transparent substrate.” The Office Action attempts to combine Henmi with Cok-733 to overcome this deficiency. Applicants respectfully disagree.

Henmi in view of Cok-733 does not teach or disclose measuring waveguided light as seen by a user. This may only be done as recited in amended claims 1 and

29. As presented herein, neither Henmi nor Cok-733 present any motivation and any alleged combination fails and in fact teaches away from such combination.

One of ordinary skill in the art having read Henmi would not be motivated to use the teachings of Cok-733. As stated above, Henmi never places a photodetector on the lower surface of the transparent substrate although multiple other configurations are shown. In direct contradiction to the teachings of Henmi, Cok-733 teaches placement of an emissive layer and photosensor materials directly adjacent to each other for the purpose of protecting the emissive layer and photosensor materials between the substrate and the cover plate. In particular, Cok-733 states that “an integrated process simplifies the device fabrication and enhances the robustness of the complete device.” There is no motivation for Henmi to look at Cok-733, which teaches an integrated manufacturing approach to address the light measuring issue.

Moreover, even assuming there was motivation, any alleged combination would frustrate the purpose of Cok-733. In particular, Cok-733 teaches keeping the two layers adjacent to each other. Claims 1 and 29, as amended, have the transparent substrate between the photodetector and the emissive layer.

Moreover, even assuming there was motivation, Henmi in combination with Cok-733 does not teach claims 1 and 29, as amended. Specifically, a Henmi and Cok-733 combination would place both the emissive layer and photodetector

between the substrate and the cover plate. Claims 1 and 29, as amended, have the transparent substrate between the photodetector and the emissive layer.

Henmi in view of Cok-733 in fact teaches away from the elements recited in the amended independent claims since Cok-733 requires both the emissive layer and the photodetector to be situated between the substrate and the cover plate.

Since the modification as required by the Office Action lacks motivation, destroys or frustrates the purpose of Cok-733, does not result in the recited claims as amended and in fact teaches away from the recited claims, as amended, the combination is not proper. Applicants respectfully request withdrawal of the rejection of independent claims 1 and 29.

Claims 7-8, 12-13, 43-44 and 30-32, and 46 depend from independent claims 1 and 29, respectively, and are believed allowable based on the reasons presented herein. Applicants respectfully request withdrawal of the rejection of dependent claims 7-8, 12-13, 30-32, 43-44 and 46.

With respect to independent claims 14 and 33, Applicant respectfully disagrees that there is adequate motivation for combining Henmi with Cok-733. In addition, Applicant believes that any such combination, assuming motivation may be shown, destroys or frustrates the purpose of Cok-733, fails to result in the recited claims and in fact teaches away from the recited claims.

There is no motivation to combine Henmi with Cok-733 for the reasons stated above. In particular, the photodetector of independent claims 14, 33, 36 and 39 detects light emitted through the substrate from the plurality of light emitting devices. This means that the photodetector and the emissive layer are situated on different sides of a substrate. Since Cok-733, as presented above, requires both the emissive layer and photosensor materials to be between the substrate and the cover plate, there would be no reason or motivation for Henmi to look at Cok-733.

Moreover, even assuming there was motivation, any alleged combination would frustrate the purpose of Cok-733. As stated above, Cok-733 teaches keeping the two layers adjacent to each other.

Moreover, even assuming there was motivation, Henmi in combination with Cok-733 does not result in a device that can detect light as seen by a user as the emissive layer and photosensor materials are always in an adjacent position.

Henmi in view of Cok-733 in fact teaches away from the elements recited in the amended independent claims since Cok-733 requires both the emissive layer and the photosensor materials to be situated between the substrate and the cover plate. This would prevent detecting a light as seen by a user.

Since the modification as required by the Office Action lacks motivation, destroys or frustrates the purpose of Cok-733, does not result in the recited claims as amended and in fact teaches away from the recited claims, as amended, the

combination is not proper. Applicants respectfully request withdrawal of the rejection of independent claims 14 and 33.

Claims 16-17, 20, 34-35, 45 and 47 depend from independent claims 14 and 33, respectively, and are believed allowable based on the reasons presented herein. Applicants respectfully request withdrawal of the rejection of dependent claims 16-17, 20, 34-35, 45 and 47.

Applicants believe that claims 1, 7-8, 12-14, 16-17, 20, 29-35 and 43-47 are allowable over the cited prior art of record for the reasons provided herein. Withdrawal of the 35 USC §103(a) rejection of claims 1, 7-8, 12-14, 16-17, 20, 29-35 and 43-47 is respectfully requested.

Claim 18

Claim 18 was rejected under 35 U.S.C. §103(a) as being unpatentable over Henmi in view of Cok-733 and further in view of Cok (U.S. 7,026,697) (Cok-697). Claim 18 is dependent on independent claim 14 and is believed allowable for the reasons presented herein. Withdrawal of the 35 USC §103(a) rejection of claim 18 is respectfully requested.

Claims 36-38 and 48

Claims 36-38 and 48 were rejected under 35 U.S.C. §103(a) as being unpatentable over Henmi in view of Cok-733 and further in view of Hunter (U.S. 7,154,492) (Hunter). Claims 36-38 and 48 are believed allowable for the reasons presented herein. Withdrawal of the 35 USC §103(a) rejection of claims 36-38 and 48 is respectfully requested.

Claims 39-42 and 49

Claims 39-42 and 49 were rejected under 35 U.S.C. §103(a) as being unpatentable over Henmi in view of Cok-733 and further in view of further in view of Bawendi et al. (U.S. 6,501,091) (Bawendi). Claims 39-42 and 49 are believed allowable for the reasons presented herein. Withdrawal of the 35 USC §103(a) rejection of claims 39-42 and 49 is respectfully requested.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

Applicant: Bulovic et al.
Application No.: 10/693,022

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 1, 7, 8, 12, 14, 16-18, 20, 21, and 29-49, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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